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26.

REASONS

why we ſhould admit the King to a perſonall Treaty In PARLIAMENT, and not Treat by Commiſsioners.

Printed in the Yeere 1647.

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Reasons why wee should admit the King to a Personall Treaty in Parliament, and not to treate by Commissioners.

FIrst, in respect of the Writt, wherby the Lords are summoned, the Knights & Burgesses elected, & sent to Parliament, in which Writ the King declares, that *by the advice of his Counsell for certaine difficult and urgent affaires concerning himselfe, his Realme of England, and the English Church, hee hath appoynted to hold a Parliament at Westminster, 3. November following, and there to have conference and treaty with his Barons*, and therefore *enjoynes every Baron upon his allegiance to be Personally there to handle and give advice upon the said urgent affaires &c.* wherein consider the things to be handled and advised on.

First, touching himselfe, the safety of his Person; then of the Kingdome, the peace and government: Last of all, of the Church, the settlement of Religion, and maintenance of his Clergy, surely these are *inter arcana Regni*, and for which he called the Parliament to have Conference with his Barons about them, and to advise with them, and not to resolve without them. Let us remember that the King doth not passe any Bill touching the most trivial matter against his meanest Subject, before he hath had (if he desired it) personall conference and advice from his Barons, and shall wee in these matters, *touching his owne Person, the peace and welfare of his whole Kingdome, the settlement of Religion, and maintenance of Gods Ministers*, shall wee in these difficult and urgent affaires, (not to use a worse word) presse him to consent to, and settle these weighty businesses (*Rege inconsulto*) without conference with his Parliament, only with a few Commissioners, a way not consonant to the Writ, not warranted by precedents.

The King may under his great Seale make Commissioners to give in Parliament his consent to any Bill. But what Law gives the two Houses power to make Commissioners to take his Majesties consent out of Parliament, if none, then what can be the successe of Commissionary treaties, but burthensome and destructive delayes?

By Law the King cannot be debarred in Parliament the conference and advice of any one Baron, and shall wee in Parliament at once deny him the conference and advice of his whole Baronage, and that in matters of the highest nature? Let us remember

that wee Knights and Burgesses are but representative persons, Attorneys for our severall Counties and Burrowes, and cannot exceede the power delegated to us by the persons represented, which by the writ and returne of our Election appeares to be to act and consent to such things as shall there (*in Parliament*) happen to be ordained, &c. but gives us no power to act or consent to things ordained or concluded by Commissioners at *Uxbridge* or elsewhere out of Parliament, wee must therefore with safety pursue our power according to the usage of former Parliaments, for innovations, and new presidents, as this may be dangerous to us, hurtfull to our Posterity.

Secondly, let the King treate in Person, that wee may avoyd the scandall that otherwise will be throwen upon us out of our owne Votes, Petitions, Replications, Declarations, &c. as in our Vote 16. Mar. 1641. *Resolved upon the Question, that those persons that advise the King to absent himselfe from his Parliament are enemies to the peace of the Kingdome, and Causers of the Rebellion in Ireland*; for surely if those that advise his absence from Parliament be enemies to the peace of the Kingdome, they that force his absence from Parliament, when his Majesty offers, and hath so often desired to come to his Parliament, are (in a higher degree) enemies to the peace of the Kingdome, especially when his presence in Parliament, might as is hoped, give an end to our taxes, loanes, billettings, &c.

Next in our Petition of the 16 of July. 1642 *We beseech his Majesty to draw neerer to his Parliament*: His Majesty in his answere offers to come to his Parliament to any place but Westminster, where, in re-

ſpect of the Tumults (and thoſe unpuniſhed) his Perſon could not be ſafe, which was the cauſe his Majeſty departed thence.

In our Replication, 26 of Jul. 1642 to that anſwer we continue our deſires, To have his Majeſty come to his Parliament to the uſuall place (Weſtminſter) as the place of ſafety for his Royall Perſon, conſidering the aſſurance the Parliament hath of the Loyalty and Fidellity of the City of London to his Majeſty, and the care the Parliament will have to prevent dangers, his Majeſty may juſtly apprehend, beſides the manifold conveniencies to be had there beyond other parts of the Kingdome: Now when his Majeſty offers to come as wee deſired to the uſuall place, as the place of ſafety for his Royall Perſon (lately endangered) to the place where the Parliament (becauſe nigh) may the better prevent al dangers apprehended by his Majeſty, to the place where manyfold conveniencies are to be had beyond other Parts of the Kingdome.

Wee will not admit him to come to his Parliament, but will treate with him by Commiſſioners, a new way, at a place not uſuall (it may be) not ſafe for His Royall Perſon, perhaps at a place where the Parliament cannot (in reſpect of the diſtance) prevent the dangers juſtly apprehended by his Majeſty, and at a place ſhort of the manyfold conveniencies to be had at Weſtminſter: and will not all the world then believe that our ends and intents are other then our Petitions and Declarations pretend?

Let

Let the King treate in Perſon even to avoyde the miſchiefe threatened by Commiſſionary treaties, which (by miſerable experience) are branded as inſucceſſull and tedious, and thereby continuing the Army unpayd, increaſing our taxes, lones, and inſupportable payments, expelling trade and commerce both for the importing forraine, and exporting home Commodities, decaying our ſhipping the ſtrength of our Nation, inviting the attendants of Civill Warre, Dearth and Famine, to perfect the ruine of our made miſerable Nation: for while the Houſes are inſtructing their Commiſſioners, their Commiſſioners certifying the Houſes, the Houſes in a perſonall treaty might have concluded with the King, payd and disbanded the Army, eaſed our taxes, freed us of billetting Soldiers, and ſo meete in Diamster what wee ſeeme to hunt in circumference.

Laſtly, it is conſiderable that all treaties, all conceſſions and grants made by the King while at diſtance from the Parliament, and under a kinde of reſtraint (being tyed to conſent, and ſigne Bills before admitted to come to Parliament) are in themſelves voyd and null in Law, as Acts obtained by force and durance, and then the Subject relying on ſuch Acts for oblivion, &c. may be hanged with his pardon about his necke, for the ſworne Judge muſt judge according to Law, not the intents of the King and Houſes. But all Acts, Grants, and Conceſſions made by the King in open and free Parliament without any conditions

conditions or respects of former treaties are in themselves most honourable, most just, and most firme, most valide in Law and conscience, which will be had by a Personall Treaty, and doubtlesse render a wished safety to the Subject, a blessed and lasting peace to the Kingdome, which God in his mercy send us.

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